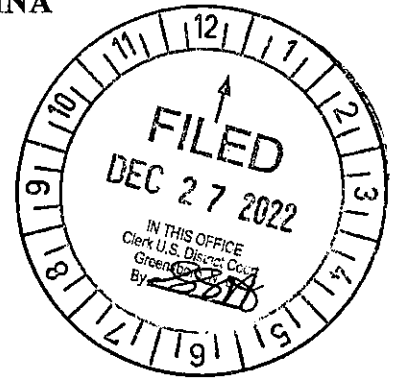


IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

Civil Action No. 1:22-cv-890



DORETHA B. PERKINS,

Pro Se Plaintiff,

v.

Dr. Miguel Cardona, Secretary of the
U.S. Department of Education,

Defendant,

and

Pennsylvania Higher
Education Assistance
Agency,

Defendant

PLAINTIFF'S REQUEST FOR ENTRY OF DEFAULT

Pursuant to Fed. R. Civ. P. 55, Plaintiff Doretha B. Perkins, *pro se* (hereinafter "Plaintiff") hereby requests that the Clerk of Court enter default against Defendant Dr. Miguel Cardona, Secretary of the U.S. Department of Education ("the Education Department") for failure to Answer the Complaint or otherwise defend the above-titled cause of action by the November 18, 2022 deadline.

In support of this Request, Plaintiff states as follows:

1. On September 12, 2022, Plaintiff filed a Complaint against Dr. Miguel Cardona, Secretary of the U.S. Department of Education and the Pennsylvania Higher Education Assistance Agency in the General Court of Justice Superior Court (Dkt. No. 3). See

Attachment A- Affidavit of Doretha B. Perkins, *pro se*.

2. The Education Department provided a signature on the green U.S. certified mail card and the signature date was recorded as September 19, 2022 by the U.S. Postal Service (Dkt. No. 10). See Attachment A- Affidavit of Doretha B. Perkins, *pro se*.
3. To date, the Education Department has failed to serve an Answer to the Complaint, which was due by November 18, 2022.
4. No notice of an attorney's appearance has been filed on behalf of the Education Department.
5. The Education Department did not communicate consent to removal of the above-titled cause of action from the General Court of Justice Superior Court by the co-defendant Pennsylvania Higher Education Assistance Agency. See Attachment A- Affidavit of Doretha B. Perkins, *pro se*.
6. An entry of default pursuant to Fed. R. Civ. P. 55(a) is appropriate "[w]hen a party against whom a judgment or affirmative relief is sought has failed to plead or otherwise defend as provided by these rules and that fact is made to appear by affidavit or otherwise." Fed. R. Civ. P. 55(a).

The Education Department's failure to Answer the Complaint deprives Plaintiff of any other means of vindicating her claims and Plaintiff would be prejudiced if default is not entered.

WHEREFORE, Plaintiff respectfully requests that the Clerk of Court enter a default against the Education Department as provided in Rule 55(a) of the Federal Rules of Civil Procedure.

Respectfully submitted this 20th day of December, 2022.



Doretha B. Perkins, *pro se*
623 Southpoint Crossing Drive
Durham, North Carolina 27713

CERTIFICATE OF SERVICE

I hereby certify that on December 20, 2022, the foregoing Plaintiff's Request for Entry of Default was sent by depositing the same in the United States Mail addressed to the United States District Court; Defendant Dr. Miguel Cardona, Secretary of the U.S. Department of Education; and counsel for Defendant Pennsylvania Higher Education Assistance Agency as follows:

Clerk of Court
United States District Court
Middle District of North Carolina
324 West Market Street, Room 401
Greensboro, North Carolina 27401

Dr. Miguel Cardona, Secretary of Education
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

D. Kyle Deak
Troutman Pepper Hamilton Sanders LLP
305 Church at North Hills Street, Suite 1200
Raleigh, NC 27609



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623 Southpoint Crossing Drive
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